<u>REMARKS</u>

This application has been reviewed in light of the Office Action dated August 5, 2008. Claims 32, 34, 35, 37, and 39 are presented for examination, of which Claims 32, 37, and 39 are in independent form. Claims 36, 38, and 40 have been cancelled, without prejudice or disclaimer of the subject matter presented therein. Claims 32, 34, 37, and 39 have been amended to define Applicant's invention more clearly. Favorable reconsideration is requested.

The Office Action states that Claims 32 and 34-40 are rejected under 35 § 103(a) as being unpatentable over U.S. Patent No. 5,414,780 (*Carnahan*), in view of U.S. Patent No. 6,160,640 (*Ohmori*) and U.S. Patent No. 6,219,454 (*Kawano et al.*). Cancellation of Claims 36, 38, and 40 renders their rejections moot. Applicant submits that independent Claims 32, 37, and 39 together with the claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Notable features of Claim 32 include "a conversion unit constructed to convert the expanded character code set to a converted character code set equivalent to a number of lines of a minimum coded unit for JPEG compression processing" and "an overwriting unit constructed to overwrite transmission information of image data for a page header or page footer in at least one respective line of extracted image data extracted by said extracting unit with the converted character code set when the at least one respective line of the extracted image data is image data corresponding to a header portion or footer portion in the image." By virtue of these features, transmission information is added to image data (*i.e.*, by the "overwriting unit") and JPEG compression is performed (*i.e.*, by the "converting unit") on the image data to which the transmission information is added. Thus,

the transmission information is added to the image data before JPEG compression and JPEG compression is executed one time.

Moreover, by "convert[ing] the expanded character code set to a converted character code set equivalent to a number of lines of a minimum coded unit for JPEG compression processing," a character code set indicating the transmission information which is equivalent to a number of lines (for example, 16 lines) of a minimum coded unit (for example, 16 X 16 pixels) for JPEG compression processing is created. [1] By virtue of this feature, is becomes much easier to replace a header or footer portion of a read image data with the transformation on a line buffer for JPEG compression upon executing JPEG compression for the read image data.

Nothing has been found in *Carnahan*, *Ohmori* or *Kawano et al.* that is believed to teach, suggest or otherwise result in the "conversion unit" or "overwriting unit" and recited in amended Claim 32.

Applicant further submit that a combination of *Carnahan*, *Ohmori* and *Kawano et al.*, assuming such combination would even be permissible, would fail to teach or suggest these features.

Accordingly, Applicant submits that Claim 32 is patentable over the cited art, and respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a). Independent Claims 37 and 39 include features similar to those discussed above with respect to Claim 32. Therefore, those claims also are believed to be patentable for at least the same reasons as discussed above.

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[1] It will be understood that the scope of Claim 32 is not limited to the details of this embodiment, which is referred to purely by way of example.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

Applicant notes that an Information Disclosure Statement has been filed concurrently herewith.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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